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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 828,706	04 06 2001	Michael Follingstad	2316.1260-US01	6468

7590 02 27 2003

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EXAMINER

FRIEDHOFFER, MICHAEL A

ART UNIT PAPER NUMBER

2832

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Examiner

Art Unit

Michael A. Friedhofer

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 22-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 25-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 11 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1 Applicant's election of group I in Paper No. 7 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 112

2 Claims 1-21 and 25-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 5 "each jack" should be --each of the jacks--.

In claim 1, lines 8-9 "each jack" should be --each of the jacks--.

In claim 1, line 10 "the tip" and "the ring" have no antecedent basis with reference to a plug.

In claim 1, line 11 "the shield" has no antecedent basis.

In claim 1, line 13 "each jack" should be --each of the jacks--.

In claim 1, line 14 "each group" has no antecedent basis.

In claim 5, line 3 "the connectors" has no antecedent basis.

In claim 5, line 4 "each lens" has no antecedent basis.

In claim 5, line 13 "each lens" has no antecedent basis.

In claim 5, line 15 "the adjacent connector" has no antecedent basis.

In claim 5, line 19 "the same width" has no antecedent basis.

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In claim 6, line 2 "each jack pair" has no antecedent basis.

In claim 6, line 2 it is unclear if these groups are related to the groups previously claimed.

In claim 6, line 8 "the remainder" has no antecedent basis.

In claim 6, line 13 "the remainder" has no antecedent basis.

In claim 7, line 2 it is unclear whether these two position switches are related to the two position switches previously claimed.

In claim 7, line 3 "each jack" has no antecedent basis.

In claim 9, lines 7 and 11 "each jack" has no antecedent basis.

In claim 9, line 10 "the tip" has no antecedent basis.

In claim 9, line 11 "the ring" has no antecedent basis.

In claim 9, line 12 "the shield" has no antecedent basis.

In claim 9, lines 22-23 "each connector" has no antecedent basis.

In claim 9, line 23 it is unclear whether this jack is related to the jacks previously claimed.

In claim 10, lines 2-5 it is unclear whether these "pairs" are related to the pairs previously claimed.

In claim 11, it is unclear whether these "pairs" are related to the pairs previously claimed.

In claim 14, lines 6 and 10 "each jack" has no antecedent basis.

In claim 14, line 11 "an plug" should be --a plug--.

In claim 14, line 12 "the tip" and "the ring" have no antecedent basis.

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In claim 14, line 13 "the shield" has no antecedent basis.

In claim 14, line 32 "each first side connector" should be --each of the first side connectors--.

In claim 14, line 33 it is unclear whether this first side connector is related to the ones previously claimed.

In claim 15, line 3 "adapted to interface" is not a positive recitation of the claimed subject matter and should be changed to more positively recite the claimed limitation.

In claim 17, line 3 "each connecting module" has no antecedent basis.

In claim 18, line 3 "each jack" has no antecedent basis.

In claim 20, line 2 "each jack" has no antecedent basis.

In claim 20, line 3 after both "tip" and "ring" insert --,--.

In claim 20, line 10 "each jack pair" has no antecedent basis.

In claim 21, line 2 "each jack" has no antecedent basis.

In claim 29, line 2 "each spring assembly" has no antecedent basis.

In claim 38, line 3 "each spring assembly" has no antecedent basis.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feustel et al in view of Dewey et al.

Feustel et al discloses in figures 1-9 a switching module including a module body 10 having a first side, a second side, and a circuit board 24 extending from adjacent the first side toward the second side; first and second connectors 34 and 35; first and second connector locations 25 and 26 at the second side; and movable two position switches 32 and 33 on the circuit board for selectively connecting the first and second connectors of the first side. Connectors 36 and 37 and connector locations 27 and 28 are also located in the switching module. As for the switches being slide switches rather than push buttons, this is a matter of engineering design choice not affecting the operation or function of the switching module as long as there are two positions.

Feustel et al does not disclose the connections as having tip, ring and ground connections.

Dewey et al teach a module having connections or jacks having tip, ring, and ground connections.

It would have been obvious to one of ordinary skill in the art to apply the teachings of Dewey et al to Feustel et al to form the connection as having tip, ring, and ground connections because this a well known form of jack in which the type of connection would not alter the operation, function, or purpose of the module as long as the switch operates to open or close the connections.

Allowable Subject Matter

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5. Claims 1, 9, 14, 20, 29, and 38 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

6. Claims 2-8, 10-13, 15-19, 21, and 30-37 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Williams et al, Allen et al, Dewey, and Henneberger et al teach various connection module structures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Friedhofer whose telephone number is 703-308-3304. The examiner can normally be reached on Mon-Fri 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 703-308-7619. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3432 for regular communications and 703-395-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.



Michael A. Friedhofer
Primary Examiner
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